

REMARKS

Prior to entry of this paper, Claims 1-12 were pending, with Claims 5, 7, 11, and 12 previously provisionally withdrawn as are result of a restriction requirement. In this paper, Claims 1, 4, 6, 9, and 10 are amended. New Claims 13-20 are added. Claims 1-20 are pending. No new matter is added by way of this amendment. For at least the following reasons, Applicants respectfully submit that each of the presently pending claims is in condition for allowance.

Reply to Examiner's Election of Species Remarks

Applicants respectfully continue to traverse the species restriction for at least the previously filed reasons. Applicants also notes that 37 CFR 1.146 provides that the examiner may require the applicant in the reply to a first action to elect a species of his or her invention to which his or her claim will be restricted if no claim to the genus is found to be allowable. As discussed below, Applicants have amended the claims, and believe that a genus claim is allowable. Because the application includes a reasonable number of species, as provided in 37 CFR 1.146, Applicants respectfully request that the species restriction be withdrawn.

Drawing Objections

Without limiting the scope of the invention, and reserving a right to file a continuing application, Applicants have amended the drawings to address the drawing objections. Replacement sheets are enclosed. Applicants respectfully note that the specification refers to a ring and assembly method known to the Applicants. Applicants also respectfully note that even a "patentee's discussion of his own patent in the specification section entitled 'Summary of the Prior Art' did not constitute an admission that the patent was prior art. . . '[W]here the inventor continues to improve upon his own work product, his foundational work product should not, without statutory basis, be treated as prior art solely because he admits knowledge of his own work. It is common sense that an inventor, regardless of an admission, has knowledge of his own work.'" *Riverwood International Corp. v. R.A. Jones & Co.*, 324 F.3d 1346, 66 USPQ 1331 (Fed. Cir.), citing *In re Fout*, 675 F.2d 297, 213 USPQ 532 (CCPA 1982).

Rejections Under 102(b) as anticipated by Blaurock et al.

The FOA indicates that Blaurock discloses in Figure 7 a “band” 124. Applicants respectfully note that Blaurock actually discloses that element 124 is “a spacer ring 124 prepared by bending a spacer element closely similar to the element 110 [of Figs 4-6] . . .” Col. 4, lines 4-6. Blaurock explains the difference between element 110 and spacer ring 124, including the statement that “[i]t differs from a ring prepared by bending the element 110 mainly by being provided with three [rather than 2] circumferential rows c, d, e of alternating, axially elongated projections and recesses 134, 136.” Col. 4, lines 13-16. Projections 134 and recesses 136 clearly correspond to projections 118 and recesses 116 of element 110. Blaurock states that “the element 110 has two rows 112, 114 of alternating identical recesses 116 and identical projections 118 separated by an elongated strip of *undeformed, flat sheet metal* . . .” Italics added, col. 3, lines 18-21. Blaurock further states that “[t]he projections and recesses in each row are contiguously juxtaposed so that the cross section of the element taken longitudinally of each row, as is seen in Fig. 5, is of continuously undulating, and practically sinusoidal shape.” Col. 3, lines 25-29.

Blaurock labels the strip of undeformed flat sheet metal in Fig. 7 with element number 142, but does not specifically state reference number 142 in the text. However, in Fig. 8, Blaurock specifies corresponding strip portions 160 & 162, wherein “[t]he ring 150 has three rows f, g, h of circumferentially alternating projections and recesses 152, 154 separated by smoothly cylindrical, circumferentially elongated strip portions 160, 162 . . .” Col. 4, lines 26-29. Thus, Blaurock clearly requires that the projections extend in both directions away from the central strip portions, rather than in a *common* radial direction away from the band as claimed.

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It is respectfully submitted that each of the presently pending claims are in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

Respectfully submitted,

By Thomas R. Marquis
 Thomas R. Marquis
 Registration No.: 46,900
 DARBY & DARBY P.C.
 P.O. Box 770
 Church Street Station
 New York, New York 10008-0770
 (206) 262-8900
 (212) 527-7701 (Fax)
 Attorneys/Agents For Applicant

Attachments – Replacement Drawing Sheets